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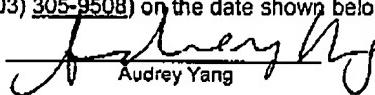
#15  
10-21-02IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Robert C. Wohlsen et. al.  
SERIAL NO: 09/351,723  
FILING DATE: 7/12/99  
TITLE: METHOD AND SYSTEM FOR IDENTIFYING A USER BY VOICE  
GROUP ART UNIT: 2654  
ATTY DOCKET NO: 1094  
EXAMINER: Azad, A.

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this preliminary amendment is being facsimile transmitted to the United States Patent and Trademark Office (fax number (703) 305-9508) on the date shown below

Date: October 8, 2002

  
Audrey Yang

THE HONORABLE COMMISSIONER OF PATENTS, WASHINGTON DC, 20231

PETITION UNDER 37 C.F.R. 1.59(B)

SIR:

Regarding the notice of appeal filed 9/30/02:

On September 30, 2002, Applicants' attorney erroneously submitted via U.S. Mail a notice of appeal in this case, that had actually been intended for application serial number 09/425,748. The fact that it was submitted 5 in error is evident by the petition for extension of time that was submitted with the notice of appeal, such extension being improper in this case, but was proper in the intended case. Applicants hereby petition for the return of the papers for the notice of appeal filed 10 September 30, 2002 and the return of the fee associated therewith. Applicants' attorney regrets any confusion this may have caused. Applicants are submitting the fee under 37 C.F.R. 1.17(h).

Applicants' attorney has since filed the notice of 15 appeal in the other case, so no transfer of the papers filed in this case is being requested.

Respectfully submitted,  
October 9, 2002

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By: Charles E. Gotlieb  
Charles E. Gotlieb  
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**FACSIMILE TRANSMITTAL SHEET**  
October 9, 2002

To: Examiner Azad

Company: USPTO

Fax Number: (703) 305-9508

Subject: Petition

Reference: 09/351,723

Pages: 7 Including Cover

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**Notes/Comments:****Please rush to Examiner Azad.**

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10/08/02 2:48 PM

PTO/SB/21 (6-85) (modified)

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Approved for use through 9/30/98, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

001/PTO  
Rev. 10/95U.S. Department of Commerce  
Patent and Trademark Office

Application Number

09/351,723

Filing Date

7/12/99

First Named Inventor

Robert C. Wohlsen

Group Art Unit

2654

Examiner Name

Azad, A.

Total Number of Pages in This Submission

6

Attorney Docket Number

1094

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer		
<input type="checkbox"/> Information Disclosure Statement/PTO-1449	<input type="checkbox"/> Request for Refund		
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

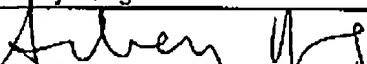
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Form or Individual name	Charles E. Gotlieb		
Signature			
Date	October 9, 2002		

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Typed or printed name Audrey Yang

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PTO/SBU17 (modified) (02/00)

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# FEE TRANSMITTAL for FY 2002

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete If Known	
Application Number	09/351,723
Filing Date	7/12/99
First Named Inventor	Robert C. Wohlsen
Examiner Name	Azad, A.
Group Art Unit	2654
Attorney Docket Number	1094

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	07-1738
Deposit Account Name	Charles E. Gotlieb

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17.

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
101 140	201 370	Utility filing fee	
106 330	206 185	Design filing fee	
107 610	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 100	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIMS

Total Claims	Independent Claims	Extra	Fee from below	Fee Paid
21 - 22 =	3 - 3 =	X		
		X		

Large Entity	Small Entity	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim	
109 84	209 42	**Reissues independent claims over original patent	
110 18	210 9	**Reissues claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Description	Fee Paid
105 130	205 65	Surcharge-late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2520	147 2520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting a publication of SIR prior to Examiner action	
113 1840*	113 1840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	215 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1440	218 720	Extension for reply within fourth month	
128 1890	228 960	Extension for reply within fifth month	
119 225	210 150	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 200	221 140	Request for oral hearing	
138 1610	138 1510	Petition to Institute a public use proceeding	
146 110	240 55	Petition to revive - unavoidable	
141 1280	241 640	Petition to revive - unintentional	
142 1280	242 640	Utility issue fee (or reissue)	
143 460	241 230	Design issue fee	
144 820	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	130
123 50	123 50	Petitions related to provisional applications	
126 180	126 120	Submission of Information Disclosure Stmt	
361 40	561 40	Recording each patent assignment per property ( times number of properties)	
148 740	246 370	Filing a submission after final rejection (37 CFR 1.129(b))	
149 740	249 370	For each additional invention to be examined (37 CFR 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			
* Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	
		130	

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Charles E. Gotlieb	Registration No. (Attorney/Agent)	38,164	Telephone	650-328-0100
Signature			Date	10/9/2002	

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**Official**

PTO-2038(modified) (02-2000)

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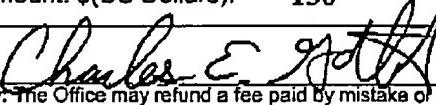
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**Request and Payment Information**

Description of Request and Payment Information:

**Fee for Petition to Commissioner.**

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/351,723	Application No. 09/351,723	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 1094		Identify or Describe Mark	

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